

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X		
QUENTIN STARKES,	:	
	:	
Plaintiffs,	:	20 Civ. 265 (LGS)
	:	
-against-	:	<u>ORDER</u>
	:	
UNITED STATES OF AMERICA,	:	
Defendants.	:	
-----X		

LORNA G. SCHOFIELD, District Judge:

WHEREAS, pursuant to the Court’s November 23, 2020, Order (Dkt. No. 22), Mr. Starkes filed an amended § 2255 motion on February 1, 2021, (the “Motion”). Dkt. Nos. 24-25.

WHEREAS, Mr. Starkes filed a motion to redact and file under seal unredacted versions of his Memorandum of Law and Exhibits C and D to the Declaration of Leila Ledain in support of the Motion (Dkt. No. 24). Dkt. No. 23.

WHEREAS, the Motion should not be summarily dismissed as being without merit. It is hereby

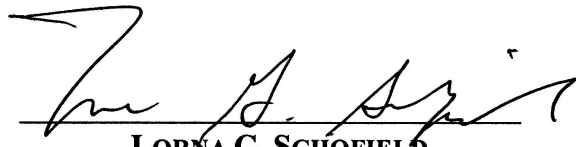
ORDERED that, by **April 5, 2021**, the U.S. Attorney’s Office shall file an answer or other pleadings in response to the Motion. By **May 5, 2021**, Mr. Starkes shall file any response. Absent further order, the Motion will be considered fully submitted as of that date. It is further

ORDERED that, Mr. Starkes’s motion to seal is **GRANTED**. The unredacted version of Mr. Starkes’s Memorandum of Law and Exhibits C and D to the Declaration of Leila Ledain at Docket No. 24 will remain sealed and only the parties and individuals identified in the attached Appendix will have access. Although “[t]he common law right of public access to judicial documents is firmly rooted in our nation’s history,” this right is not absolute, and courts “must balance competing considerations against” the presumption of access. *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 119–20 (2d Cir. 2006) (internal quotation marks omitted); *see also*

Nixon v. Warner Commc'ns., Inc., 435 U.S. 589, 599 (1978) (“[T]he decision as to access is one best left to the sound discretion of the trial court, a discretion to be exercised in light of the relevant facts and circumstances of the particular case.”). Filing the above-referenced document in redacted form is necessary to prevent the unauthorized dissemination of confidential health information.

The Clerk of Court is respectfully directed to close the motion at Docket No. 23

Dated: February 2, 2021
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

Appendix

Pursuant to Your Honor's Individual Rule I.D.3, this appendix identifies all parties and attorneys of record who should have access to the sealed documents.

AUSA Alexandra Rothman